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Crl.O.P.No.29050 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.11.2024

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.O.P.No.29050 of 2024

I.Rajniganth

... Petitioner

Vs.

The State represented by,
The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Dharmapuri District.
(Crime No.07/AC/2024)

... Respondent

PRAYER : Criminal Original Petition filed under Section 483 of BNSS, pleased to enlarge the petitioner on bail in Crime No.07/AC/2024 on the file of the respondent.

For Petitioner : Mr.C.Munusamy

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (Crl.Side)



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ORDER

This Criminal Original Petition has been filed by the petitioner/sole accused, who was arrested and remanded to judicial custody on 26.10.2024, seeking bail in Crime No.07/AC/2024 registered for the offence under Section 7(a) of the Prevention of Corruption Act, 1988 as amended in 2018.

2. The case of the prosecution is that the petitioner who is a Village Panchayat Secretary, had demanded an amount of Rs.5,000/- as bribe from the defacto complainant for allotment of house under Kalaingar Kanavu Illam Scheme. Based on a complaint, a trap was laid on 25.10.2024, and the accused was arrested red handed while receiving the bribe money. Hence, the case.

3. Learned counsel appearing for the petitioner submitted that the petitioner is an innocent person that due to political reasons, a false complaint has been foisted against him. Therefore, he prayed for grant of bail to the petitioner, who is in custody from 26.10.2024, stating that the petitioner is ready to abide by any stringent conditions that may be imposed by this Court.



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4. Learned Government Advocate (Crl.Side) appearing for the respondent police, while objecting for grant of bail to the petitioner, submitted that the petitioner who is a Village Panchayat Secretary, had demanded an amount of Rs.5,000/- as bribe from the defacto complainant for allotment of house under Kalaingar Kanavu Illam Scheme. Based on a complaint, a trap was laid on 25.10.2024, and the accused was arrested red handed while receiving the bribe money. He further submitted that the petitioner was arrested on 26.10.2024 and the major part of the investigation is over and the house search has also been completed.

5. Heard the learned counsel appearing for the petitioner, the learned Government Advocate (Crl.Side) for the respondent Police and perused the materials available on record.

6. Taking into consideration the facts and the submissions made by the learned counsel on either side and considering the period of incarceration undergone by the petitioner, this Court is inclined to grant bail to the petitioner with certain conditions.



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7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only)** with **two sureties**, each for a like sum to the satisfaction of the learned Special Judge/Chief Judicial Magistrate, Dharmapuri, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;

[b] the petitioner shall report before the respondent police, everyday at 10.30 a.m., until further orders;

[c] the petitioner shall not abscond either during investigation or trial;

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in ***P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]***;



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[f] If the accused thereafter absconds, a fresh FIR
can be registered under Section 269 of B.N.S.

21.11.2024

Anu

To

1. The Speical Judge/Chief Judicial Magistrate,
Dharmapuri.
2. The Deputy Superintendent of Police,
Vigilance and Anti-Corruption Wing,
Dharmapuri District.
3. The Superintendent,
Sub Jail, Dharmapuri.
4. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA., J.

Anu

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